

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-30432 - APPLICANT/OWNER: DFA, LLC, ET AL

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Payment of the required application and notification costs of \$800 within 10 days of City Council.
2. Conformance to the conditions for Special Use Permit (SUP-13836), if approved.
3. This Special Use Permit shall be reviewed one year (1) after the final issuance of a Certificate of Occupancy.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required One-Year Review of an approved Special Use Permit (SUP-13836) for a Rental Store with Outside Storage on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. In addition to this request, the applicant has submitted an Extension of Time (EOT-30014) request of an approved Special Use Permit (SUP-13836) for a Rental Store with Outside Storage to be heard at the December 3, 2008 City Council meeting. As the site plan proposed through Site Development Plan Review (SDR-13833) has not yet been exercised, staff recommends approval of this Required Review with the next review to follow one-year after the final issuance of a Certificate of Occupancy for the subject site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/03/72	The Board of City Commissioners approved a request to Reclassify property (Z-0039-71) at 1804 and 1808 West Bonanza Road from R-E (Residence Estates) to R-3 (Medium Density Residential). The Planning Commission recommended approval of this request.
05/21/75	The Board of City Commissioners approved a request to Reclassify property (Z-0012-75) generally located on the south side of Washington Avenue between Clarkway Drive and Sunny Place from R-E (Residence Estates) to R-3 (Medium Density Residential). The Planning Commission recommended approval of this request.
06/28/94	The Board of Zoning Adjustment approved a request for a Variance (V-0086-94) to allow a Residential Security Living Quarters where such is not permitted at 1724 West Bonanza Road.
05/08/97	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a request for a Rezoning (Z-0023-97) on property located on the south side of Washington Avenue, approximately 1,000 feet west of Martin L. King Boulevard from R-E (Residence Estates) to R-PD15 (Residential Planned Development- 15 Units per Acre) for a proposed 130-unit townhome development.
12/01/98	The Board of Zoning Adjustment approved a request for a Variance (V-0082-98) for a commercial development that requires a zero-foot front, rear, and side setback where 50, 10, and 35 feet are required setbacks on property located at 1824 West Bonanza Road.
12/21/98	The City Council approved a request for a Rezoning (Z-0026-98) on property located on the northeast corner of Bonanza Road and Clarkway Drive from R-E (Residence Estates) to C-1 (Limited Commercial). The Planning Commission recommended approval of this request, whereas staff recommended denial.

01/12/99	The City Council approved a Petition to Vacate (VAC-0048-98) a portion of Clarkway Drive north of Bonanza Road.
05/21/03	The City Council approved a request for Rezoning (ZON-1992) from R-3 (Medium Density Residential) to C-1 (Limited Commercial) on 0.57 acres at 1722 West Bonanza Road. The Planning Commission and staff recommended approval of this request.
05/21/03	The City Council approved a request for a Site Development Plan Review (SDR-1991) for a proposed 5,255 square-foot Office Development with a Waiver to allow a reduction of the proposed landscape on 0.57 acres at 1722 West Bonanza Road. The Planning Commission and staff recommended approval of this request.
05/18/04	A Code Enforcement case (#15224) was processed for abandoned vehicles on the property at the northwest corner of Bonanza Road and Clarkway Drive. The case was resolved on 05/26/04.
03/14/06	A Code Enforcement case (#39208) was processed to check for all zoning violations. The case was resolved on 07/06/06.
03/14/06	A Code Enforcement case (#39215) was processed to check for all zoning violations. The case was resolved on 10/15/06.
03/24/06	A Code Enforcement case (#39561) was processed to check for all zoning violations. The case was resolved on 06/05/06.
03/24/06	A Code Enforcement case (#39560) was processed for property being used as a storage lot. The case was resolved on 06/05/06.
04/05/06	The City Council approved a request for a Variance (VAR-11006) to allow an eight-foot wrought iron fence where four feet is the maximum height allowed and a Waiver of the 20 percent contrasting material requirement at 1700, 1710, 1714, 1718, 1722, 1804, 1808 1812, 1816, and 1824 West Bonanza Road. The Planning Commission recommended approval of this request, whereas staff recommended denial.
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) to change the future land use designations to Commercial, Mixed Use, Industrial or Public Facilities on various parcels within the proposed Las Vegas Redevelopment Plan Area and within the proposed Redevelopment Plan expansion area. The Planning Commission and staff recommended approval of this request.
05/25/06	The Planning Commission approved an Appeal of Director's Decision (DIR-11779) to deny a Temporary Commercial Permit per Title 19.18.100(D) that would allow a temporary Contractor's Construction Yard on 15.54 acres adjacent to the north side of Bonanza Road, approximately 460 feet east of Clarkway Drive. Staff recommended denial of this request.
07/24/06	Code Enforcement cases (#44792 and #44794) were processed for violations of Conditions per Director's Decision (DIR-11779). The cases were resolved on 10/15/06 and 10/18/06.

10/04/06	The City Council approved a request for a Special Use Permit (SUP-14329) for an Auto Repair Garage (Major) on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for a Special Use Permit (SUP-14324) for a Truck Rental Establishment on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for a Special Use Permit (SUP-13836) for a Rental Store with Outside Storage on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for a Variance (VAR-16049) to allow a proposed 10-foot high block wall where eight feet is the maximum allowed on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for a Variance (VAR-14320) to allow a setback of 73-foot where residential adjacency setback standards require a minimum 84-foot setback, and to allow a zero-foot side yard building setback where 10 feet is the minimum required in conjunction with a Rental Store with Outside Storage on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for a Site Development Plan Review (SDR-13833) for a proposed Rental Store with Outside Storage; a 99,000 square-foot covered storage area; a 21,600 square-foot Auto Repair Garage, Major; a 25,200 square-foot Hardware Store and Waivers of the perimeter landscape buffer and wall design requirements on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for Rezoning (ZON-13837) from R-E (Residence Estates), R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), R-3 (Medium Density Residential), and C-1 (Limited Commercial) to C-2 (General Commercial) on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.

07/12/07	The Planning Commission approved a request for a Major Amendment to an approved Site Development Plan Review (SDR-22206) for a Commercial Development consisting of a 30,000 square-foot Hardware store, 30,000 square feet of Office, 40,000 square feet of covered storage area, and 60,000 square feet of Auto Repair Garage, Major with a Waiver of perimeter landscape requirements to allow a 10-foot wide buffer where 15 feet is required along the south property line on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. Staff recommended approval of this request.
07/12/07	The Planning Commission approved a request for a Variance (VAR-22723) to allow a wall to contain no contrasting material where twenty percent contrasting material is required on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. Staff recommended denial of this request.
08/15/07	The City Council approved a request for a Review of Condition Number 6 (ROC-22207) of an approved Rezoning (ZON-13837) which required construction of all half-street improvements on Bonanza Road and Clarkway Drive along with the removal of all substandard public street improvements and unused driveway cuts for replacement with new improvements constructed to current City standards on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommend denial.
12/03/08	The City Council will consider requests for an Extension of Time (EOT-30014) of an approved Special Use Permit (SUP-13836) for a Rental Store with Outside Storage, an Extension of Time (EOT-30016) of an approved Special Use Permit (SUP-14324) for a Truck Rental Establishment, an Extension of Time (EOT-30017) of an approved Variance (VAR-14320) to allow a setback of 73 feet where Residential Adjacency Standards require a minimum 84-foot setback, and to allow a zero-foot side yard building setback where 10 feet is the minimum setback required in conjunction with a Rental Store with Outside Storage, an Extension of Time (EOT-30019) of an approved Special Use Permit (SUP-14329) for an Auto Repair Garage, Major and an Extension of Time (EOT-30020) of an approved Rezoning (ZON-13837) from R-E (Residence Estates), R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), R-3 (Medium Density Residential) and C-1 (Limited Commercial) to C-2 (General Commercial) on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/dc).
<i>Related Building Permits/Business Licenses</i>	
05/15/98	A business license was issued (#E02-00031) for Trailer/Equipment Rental. The license is still active.
08/14/03	A building permit (#03017452) was issued for tenant improvements for a Certificate of Occupancy for Building B. The permit was not finalized.

<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application, nor was one held.	

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
10/29/08	Staff conducted a field check of the site and noted a large political sign placed on the property, the surrounding area appeared in good condition and two large construction vehicles/cranes parked on site visible from the adjacent right-of-way (Clarkway Drive).

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	20.53

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Rental Storage	MXU (Mixed Use) and C (Commercial)	R-E (Residence Estates) with a Resolution of Intent to C-2 (General Commercial)
North	Single-Family Residential	R (Rural Density Residential)	R-E (Residence Estates)
South	Rental Parking and Storage	LI/R (Light Research/Industry)	C-M (Commercial/Industrial)
East	Condominiums	MXU (Mixed Use)	R-3 (Medium Density Residential and Apartments)
	Single-Family Residential and Undeveloped	MXU (Mixed Use)	R-E (Residence Estates)
West	Single-Family Residential and Undeveloped	MXU (Mixed Use)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
West Las Vegas Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
A-O Airport Overlay District (140 feet)	X		Y*

Trails	X		Y**
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The subject property is located within the North Las Vegas Airport Overlay Map within the 140-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

** Pioneer's Trail – The subject site has a non-equestrian recreation trail that has already been constructed and therefore conforms to the requirements of this trail.

ANALYSIS

This is the first Required One-Year Review of an approved Special Use Permit (SUP-13836) for a Rental Store with Outside Storage at the northeast corner of Bonanza Road and Clarkway Drive. A field check performed by Staff at the subject site confirmed that the buildings proposed through Site Development Plan Review (SDR-13833) have not been built at this time. The existing structures from the previous uses on the property remain in place. The subject property is currently used for vehicle parking around the periphery of the site and equipment storage near the center of the subject property. Additionally, at the time of the field check, staff noted two cranes parked adjacent to Clarkway Drive, visible from the single-family residence to the west of the subject property.

FINDINGS

The site plan approved through Site Development Plan Review (SDR-13833) has not been implemented at this time. The applicant is currently utilizing the periphery of the site for parking and the interior area for Outside Storage, with the exception of the two cranes parked adjacent to Clarkway Drive. As the site plan proposed through Site Development Plan Review (SDR-13833) has not yet commenced, staff recommends approval of this Required Review with the next review to follow one-year after the final issuance of a Certificate of Occupancy for the subject site.

PLANNING COMMISSION ACTION

The Planning Commission added condition #1 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 243 by City Clerk

APPROVALS 1

PROTESTS 1